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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST, Plaintiff, v. EMISSIVE ENERGY CORPORATION, a Delaware Corporation; and DOES 1-100, Defendants.	CASE NO. CV 08-0234 BTM (CAB) **NOTICE OF MOTION AND MOTION OF DEFENDANT EMISSIVE ENERGY CORPORATION TO STAY THE LITIGATION PENDING REEXAMINATION OF U.S. PATENT NO. 4,935,184** Date: May 30, 2008 Time: 11:00 a.m. Courtroom: 15, Fifth Floor Judge: Hon. Barry T. Moskowitz NO ORAL ARGUMENT UNLESS REQUESTED BY THE COURT

NOTICE IS HEREBY GIVEN that on May 30 2008, at 11:00 a.m., or as soon thereafter as the matter may be heard by this Court, located at 940 Front Street, San Diego, CA 92101-8900, Defendant Emissive Energy Corporation ("Emissive") will move for a stay of this action, pending the on-going United States Patent & Trademark Office ("PTO") reexamination of expired United States Patent No. 4,935,184 (the "'184 patent").

In accordance with settled law as set for in the Memorandum of Points and Authorities filed herewith, and consistent with this Court's prior grants of stay in related cases (*Sorensen v. Black and Decker*, 06CV1572; *Sorensen v. Giant International (USA) LTD.*, 07CV2121; *Sorensen v. Helen of Troy*, 07CV2278; *Sorensen v. Energizer Holdings, Inc.*, 07CV2321; and *Sorensen v. Esseplast*, 07CV2277), a stay of this action is appropriate.

In support of this Motion, Emissive relies upon the Memorandum of Points and Authorities, as well as related pleadings, argument and/or evidence the Court may consider at the hearing on this Motion.

DATED: April 14, 2008

GREENBERG TRAURIG, LLP

By: /s/Kamran Salour
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CERTIFICATE OF SERVICE

I hereby certify that on April 14, 2008, I cause to be filed electronically the MOTION AND NOTICE OF MOTION AND DEFENDANT EMISSIVE ENERGY CORPORATION'S MOTION TO STAY THE LITIGATION PENDING REEXAMINATION OF U.S. PATENT NO. 4,935,184 with the Clerk of the Court using CM/ECF system which will send notification of such filing to the e-mail addresses denoted below:

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